

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:02 a.m. with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Gerald Vap present and Commissioner Anne Boyle excused at the beginning of the meeting. Chairman Johnson also invited the public to address the Commission at any point during the meeting. He also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room.

GENERAL ADMINISTRATION

Notice was duly published September 12, 2006 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 12, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, September 19, 2006:

911-002 Commission Hearing Room, Lincoln.
1:30 In the Matter of the Commission, on its own motion, seeking to determine the surcharge for the Enhanced Wireless 911. Commissioner Vap presiding as Hearing Officer.

Wednesday, September 20, 2006:

TR-155 Commission Library, Lincoln, and Omaha State Office Building, Room 207, 1313 Farnam Street, Omaha. In the Matter of
2:30 Happy Cab, Omaha, seeking authority to adjust its rates and charges. Commissioner Boyle presiding as Hearing Officer.

Thursday, September 21, 2006:

9:00 Commission Library, Lincoln. Workshop.
Presentation by representatives of Kinder Morgan, Inc. and GE Energy Financial Services on a proposed sale of Kinder Morgan, Inc.'s natural gas retail distribution operations.

Monday, September 25, 2006:

PI-110 Commission Hearing Room, Lincoln.
9:00 In the Matter of the Commission, on its own motion, seeking to investigate commuter transportation services between Omaha and Lincoln and points in between. Commissioner Boyle presiding as Hearing Officer.

B-1613 Commission Library, Lincoln and Educational Service Unit
1:30 #16, 1221 West 17th, Distance Learning Room, North Platte. In the Matter of Rick Holloway, d/b/a Taxi Specialties of Lexington, Lexington. Commissioner Vap presiding as Hearing Officer.

NATURAL GAS DEPARTMENT

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessment Order HSD-003. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE and Anne Boyle excused not voting.

NG-0037 In the Matter of the joint application of NorthWestern Corporation, D/B/A NorthWestern Energy, Sioux Falls, South Dakota; Babcock & Brown Infrastructure Limited, BBI US Holdings Pty Ltd., Sydney NSW 2000, Australia; BBI US Holdings II Corp., and BBI Glacier Corp., San Francisco, California, seeking approval of the proposed change in control of NorthWestern Corporation. Commissioner Vap presiding as Hearing Officer: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter Assessment Order HSD-003. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE and Anne Boyle excused not voting.

Laura Demman reported that a presentation by representatives of Kinder Morgan, Inc. and GE Energy Financial Services on a proposed sale of Kinder Morgan, Inc.'s natural gas retail distribution operations is scheduled for September 21, 2006, at 9:00 a.m. in the Commission Library, Lincoln.

GRAIN WAREHOUSE DEPARTMENT

John Fecht discussed the following shortages:

GW-868 Bruno Cooperative Association, Bruno: Corn and soybeans.
GW-2112 James Nejezchleb dba Deweese Agri Services, Deweese: Corn and soybeans.

Grain Dealer Division

GD-985 In the Matter of All Points Cooperative, Gothenburg, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending March 31, 2007: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

GRAIN WAREHOUSE DEPARTMENT (Cont.)

GD-2174 In the Matter of Pender Grain Elevator, Inc., Pender, seeking a Grain Dealer License, subject to the fulfillment of all statutory requirements, for the license period ending June 30, 2007: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis to enter an order granting the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT

DC-71/
NUSF-53 In the Matter of Maurice Gene Hand, Director, Communications Department, and Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainants, v. Qwest Corporation, Denver, Colorado, Respondent. Commissioner Gerald Vap presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order sustaining the complaint against Qwest and adopting a compliance plan. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3206 In the Matter of the Commission, on its own motion, seeking to administer the Nebraska Internet Enhancement Fund. Commissioner Rod Johnson presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order seeking full applications. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3559/
DC-72 In the Matter of the Commission, on its own motion, seeking compliance of the 2005 Annual Report filings. Commissioner Anne Boyle presiding as Hearing Officer: Motion made by Commissioner Rod Johnson, seconded by Commissioner Frank Landis, to enter an order to revoke the authority, fine the parties and close the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE.

C-3670 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRO") amendment to an Interconnection Agreement with LH Telecom, Inc., Des Moines, Iowa, previously approved in Docket C-3220: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3680 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an Interconnection Agreement with Nebraska Technology & Telecommunications, Inc., Omaha, previously approved in Docket C-1752: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3681 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") amendment to an Interconnection Agreement with Qwest Communications, Corporation, Arlington, Virginia, previously approved in Docket C-3286: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3682 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") amendment to an Interconnection Agreement with Lightyear Network Solutions, LLC, Louisville, Kentucky, previously approved in Docket No. C-3239: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3683 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an Interconnection Agreement with Lightyear Network Solutions, LLC, Louisville, Kentucky, previously approved in Docket No. C-3239: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

C-3689 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an Interconnection Agreement with Pinpoint Communications, Inc., Cambridge, previously approved in Docket C-2605: Motion made by Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to enter an order approving the application. Motion passed with Commissioners Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting AYE, and Commissioner Anne Boyle excused not voting.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand discussed the draft comments to the Federal Communications Commission (FCC) in WT Docket 06-150, CC Docket 94-102 and WT Docket No. 01-309 regarding rules specific to the 700 MHz spectrum. The Commissioners approved comments for filing with the FCC.

Steve Stovall reported on the National Association for State Relay Administration Conference held in Louisville, Kentucky, from September 6 through 9, 2006. The conference focused on the recent FCC pending notices of rulemakings, National Exchange Carrier Association (NECA) activities and exhibitor's latest telecommunications technologies and services.

Gene Hand informed the Commission there will be a National Association of Regulatory Utility Commissioners (NARUC) Webinar with non signatories regarding the Missoula Plan starting at 10:00 a.m. Monday, September 25, 2006.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

NUSF-25 In the Matter of the Commission, on its own motion, seeking
PO #15 to establish guidelines for the purpose of certifying the
 use of federal universal service support: Motion made by
Commissioner Frank Landis, seconded by Commissioner Rod Johnson, to
enter an order certifying to the Federal Communications Commission
(FCC) those Nebraska carriers receiving high-cost support. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson,
Frank Landis and Jerry Vap voting AYE.

NUSF- In the Matter of Jeffrey L. Pursley, Director, Nebraska
37.100 Telecommunications Infrastructure and Public Safety
 Department, Complainant, v. Business Productivity Solu-
tions, Inc.: Motion made by Commissioner Frank Landis, seconded by
Commissioner Jerry Vap, to enter an order dismissing the complaint.
Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod
Johnson, Frank Landis and Jerry Vap voting AYE.

NUSF-53/ In the Matter of Maurice Gene Hand, Director, Communica-
DC-71 tions Department and Jeffrey L. Pursley, Director, Nebraska
 Universal Service Fund Department, Complainants v. Qwest
Corporation, Respondent: An order was entered on the Communications
Department agenda.

NUSF-58 In the Matter of the Commission, on its own motion,
 requiring Access Point to Show Cause as to why its Certi-
ficate of Public Convenience and Necessity should not be revoked and
should not be assessed administrative fines: Jeff Pursley and Shana
Knutson discussed correspondence received from Access Point.

COMMUNICATIONS DEPARTMENT (Cont.)

WT-06-150/ In the Matter of Service Rules for the 698-746, 747-762 and
CC-94-102/ 777-792 MHz Bands; Revision of the Commission's rules to
WT-01-309 ensure compatibility with Enhanced 911 Emergency Calling
Systems; and Section 68.4(a) of the Commission's Rules
governing hearing aid-compatible telephones: Discussion was held
regarding the State of Vermont's comments in these dockets. Commis-
sion approval to file Nebraska comments was entered on the Communi-
cations Department agenda.

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #5 to establish guidelines for administration of the Nebraska
PO #7 Universal Service Fund. Motion made by Commissioner Jerry
Vap, seconded by Commissioner Frank Landis, to approve the
exceptions to the agreed upon procedures language for the Remittance
Worksheet and Payment Audits. Motion passed with Commissioners Anne
Boyle, Lowell Johnson, Rod Johnson, Frank Landis and Jerry Vap voting
AYE.

TRANSPORTATION DEPARTMENT

B-1613 In the Matter of Rick Holloway, dba Taxi Specialties of
Lexington, Lexington: Motion made by Commissioner Jerry
Vap, seconded by Commissioner Frank Landis, to enter an Order to Show
Cause and schedule a hearing for September 25, 2006, at 1:30 p.m. in
the Commission Library and Educational Service Unit #16, Distance
Learning Room, 1221 West 17th Street, North Platte. Motion passed
with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank
Landis and Jerry Vap voting AYE.

B-1628 In the Matter of OMALiNK, Inc., Lincoln, seeking authority
(Supplement 1) to transport passengers by limousine as a
common carrier between points in Lancaster County, on the one hand,
and, on the other hand, points in Nebraska over irregular routes, and
(Supplement 2) authority to transport passengers and their baggage in
open class service in Lancaster County, and between points in Lancas-
ter County on the one hand, and, on the other hand, points in Douglas
County. Motion made by Commissioner Frank Landis, seconded by Commis-
sioner Jerry Vap, to enter an order granting the Motion for Reconsi-
deration to reverse in part and affirm in part. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson, Frank Landis
and Jerry Vap voting AYE.

Rate Division

MR-930 In the Matter of Movers and Warehouse Division, Nebraska
Motor Carriers Association, Lincoln, seeking Official
Household Goods Tariff 7-F: The fuel surcharge was decreased to 64
cents per mile.

GENERAL ADMINISTRATION

Commissioner Frank Landis stepped out of the Commission Hearing Room.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Attorney General	\$ 4,273.41
Thomson West	573.92

Motion made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to ratify the addition of \$10,000 to the budget annually for contractual services to develop an online process for NUSF and E911 remittance worksheets. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Commissioner Landis returned to the Commission Hearing Room prior to discussion of the next item.

The Commissioners, Angela Melton and Andy Pollock discussed possible legislation for the 2007 session.

The meeting adjourned at 11:40 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson, Landis and Vap present. The next regularly scheduled meeting will be held on September 26, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on September 25, 2006.

Chairman

Executive Director